vement which was started with the best of intentions can be kept alive. With these few words I beg leave of the House to withdraw this resolution.

Resolution was by leave withdrawn.

4. Power to move Resolutions in the absence of the Mover concerned.

* **Mr. T. S. Balarama Ayyar** *(Trichur North).*—Sir, I beg to move the following resolution:—"*This Council recommends to Government that in the absence of the member in whose name a resolution stands, such resolution may, with the permission of the President, be moved by any other member*".

The Resolution that I have moved, while it is quite innocuous, will serve a useful purpose. Many important resolutions have failed to receive consideration at the hands of this House on account of the unavoidable absence of the member in whose name the resolution stands. My resolution simply seeks to give power to any member to move a resolution that has been admitted and that is on the agenda paper when the member in whose name the resolution stands is absent. In other words it simply seeks to provide the way for bringing an admitted resolution into discussion in this House when the sponsor thereof is absent. There is then the additional safeguard that the permission of the President is to be received. Sir, after the advent of Sir Shanmukham as our President the privilege of putting questions of an absentee member has been given to this House. My resolution simply asks for this privilege to be extended for resolutions also. I do not know if this privilege exists in the other Legislative Councils of India but I know that in Pudukkottai there is this privilege. I also understand that in Travancore the practice of permitting a member to move a resolution of an absentee member is not uncommon. In Mysore very often we find that many of the resolutions stand in the name of more than one members so that when one is absent another can move it. I would ask for the privilege enjoyed by the Pudukkottai Legislative Council rather than follow the crude and cumbrous procedure followed in Mysore. With these few words I commend the resolution to the acceptance of the House.

Mr. V. K. Krishnankutty *(Anthikkad).*—I second it.

* Speech not corrected by the Hon'ble Member.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. Thomas Manjuran *(Government Advocate and Law Officer).*—Sir, the Government have great pleasure to accept this resolution. This resolution is practically similar to S. O. No. 61 (2) of the Indian Legislative Assembly where the President in the absence of the member who sent in the resolution may allow any other member to move it. In the Madras Council it is slightly different. It is the Council that is given the power. Government have no objection to accept the resolution and rules will be amended accordingly.

Mr. E. Ikkanda Warriar *(Urakam).*—Sir, I wish to say a word in this connection. To me there seems to be some objection to allow this resolution to go as it is. This resolution enables any other member to move a resolution with the leave of the President when the sponsor of the resolution is absent. I would urge that before moving the resolution the member who moves the resolution should get the consent of the member who sent in the resolution. It is not stated in the resolution that the member who tabled the resolution should give his consent. If that is not done there will be this danger. The member who tabled the resolution might for his own reasons not wish to move it, while the other member may ultimately defeat the object with which it was sent. The member who sent in the resolution may have some reasons to support the motion which the others may not know. If on the other hand previous consent is insisted upon, the sender of the resolution will see that his view point is presented to the Council by the mover.

Mr. P. Kumaran Ezhuthassan *(Wadakkancheri).*—I am surprised, Mr. President, to find the attitude taken up by the Hon'ble Member for Urakam on a proposition like the one before the House and which the Government was pleased to accept. The objection of the Hon'ble Member for Urakam seems to be that the member who originally tabled the resolution, if present, would be able to carry conviction of the House and ultimately succeed in carrying the resolution which perhaps may not be the end if another member is allowed by the Hon'ble President to move the same resolution. It amounts to this. That is, if another member is allowed by the original member to move the same resolution, he will have to adopt the language, the recommendations, the reasoning, etc., of the original member, so that he may carry conviction just like the original member for carrying the House with him. That seems to be a very picturesque position indeed. A member who for all

LIBRARY ARCHIVES Kerala Legislative Assembly

practical purposes must be considered to be aware of his responsibilities when he sends the resolution, is ordinarily expected to be present and will be present. But it is only under unavoidable circumstances that he may be absent from his seat and it is but proper and reasonable to allow any other member who is anxious to move the proposition tabled by another member to do so. We can ordinarily expect that other member to be in possession of facts. Otherwise there is no meaning in such other member asking for the leave of the Hon'ble President to be allowed to move the resolution not tabled by him. There may be very good reasons for the request for permission. The resolution standing in the name of the original member may be an excellent resolution which may have very many beneficial results if that is carried and that will be the reason for another member to request the Hon'ble President to allow him to move that resolution. He ordinarily will be able to carry the same conviction to the House as the original member. Therefore I do not find my way to appreciate the viewpoint of getting the previous consent of the original member before another member is allowed to move the resolution. It is again, Sir, only an extension of the practice that is actually obtaining in the House during the last two or three years. Questions sent up by some of the hon'ble members wereallowed to be put in their absence by any other members from this side if he desired to do so. Only a member who knows something about that question ordinarily seeks leave of the Chair for allowing him to put that question. In this House, Sir, during the last 2 or 3 years, the hon'ble the Diwan-President has often allowed any other member of the House than the questioner, even in the absence of a written consent of the original member, the sender of the question, to put that particular question and always with advantage.

Dr. A. R. Menon *(Pallippuram).*—Was there any instance which you remember?

Mr. P. Kumaran Ezhuthassan *(Wadakkancheri).*—Oh, yes. There was a question during the last Session itself which my hon'ble friend for Urakam had sent and in his absence I was allowed without a written consent of his to put the question which alone made it possible for many useful supplementary questions to that question to be put. Therefore, my humble submission is that the previous consent of the mover of the resolution is certainly not necessary if any other member is willing to take up the responsibility of moving that resolution and try his best to carry conviction of the House. Therefore, Sir, I whole-

LIBRARY ARCHIVES Kerala Legislative Assembly

heartedly support the resolution if any support is necessary now.

Dr. A. R. Menon (*Pallippuram*).—What is the procedure in the Indian Legislative Assembly?

Mr. Thomas Manjuran (*Government Advocate and Law Officer*).—No consent of the mover is necessary. In the Madras Assembly the consent is to be given not by the President but by the House. The gentleman who has sent up the resolution may be at the station or may not be at the station. Whether one member has a set of arguments or not is not the thing to be taken into consideration. I suppose the good sense of the members of the House would be able to judge the merits of the case.

Mr. P. J. Alexandar (*Palluruthi*).—The mover said of a practice in Mysore.

* **Mr. T. S. Balarama Ayyar** (*Trichur North*).—One resolution is put in the name of 3 or 4 members there. It is sent under the signature of 3 or 4 persons.

I do not understand the objection of the Hon'ble Member for Urakam. When an Hon'ble Member who has given notice of a resolution really wants that his resolution must be considered and that it should be moved by a person in whom he has confidence because he is not able to be present. I think the President will give preference to that person in moving the resolution. Therefore I do not think that the previous consent of the mover is necessary.

Chairman.—It is accepted by the Government. But is it accepted by the House?

Dr. A. R. Menon (*Pallippuram*).—The House do not oppose the resolution. It was merely a suggestion from the Urakam Member. Therefore it has to be taken as unanimously passed by the House.

Resolution was accepted by Government.

5. Enhancement of percentage of loan amounts advanced on the value of properties mortgaged.

* മിസ്റ്റർ കെ. എം. കുഞ്ഞുമൊയ്തീൻ (*Kattur*).—സർ, ഞാൻ ഇവിടെ അവതരിപ്പിക്കുന്ന പ്രമേയം "*This Council recommends to Government to take steps to see that the Land Mortgage Bank*

* Speeches not corrected by the Hon'ble Members.

LIBRARY ARCHIVES Kerala Legislative Assembly